



Docket No. 701039-052161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 24 2002

TECH CENTER 1600/2900

Applicants: Benowitz, L.I.

Serial No.: 09/872,347

Group: 1646

Filed: June 1, 2001

Examiner: L.I. Ruixiang

For: METHODS AND COMPOSITIONS FOR PRODUCING A NEUROSALUTARY EFFECT IN A SUBJECT

Assistant Commissioner for Patents  
Washington, D.C. 20231

#11  
B.G.J.  
10/29/02

\*\*\*\*\*  
CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being: deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 10/15/02

Melissa Kruggel  
Melissa Kruggel

\*\*\*\*\*

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants herewith submit the publications and/or patents shown on the attached form PTO-1449, for consideration by the Examiner in connection with the examination of the above-identified patent application.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- X (1) within three (3) months of the Filing Date or **before the mailing date of the First Office Action** on the merits; or
- (2) within three months of the mailing date of the PCT International Search Report; or
- (3) after the period defined in (1) but before the mailing date of a **Final Rejection or Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely \$240.00, is included herein; or

- (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

  X   are enclosed herewith; and  
\_\_\_\_\_ have been cited in the parent application, and are thus not being resubmitted herein.


A copy of the International Search Report from its corresponding PCT application, PCT/US01/17895, is also enclosed herewith.

Early examination and allowance of the present application are respectfully solicited.

#### FEE AUTHORIZATION

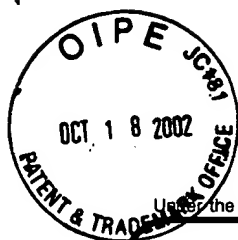
Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850 or 14-1138. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

  
\_\_\_\_\_  
David S. Resnick (Reg. 34,235)  
NIXON PEABODY LLP  
101 Federal Street  
Boston, MA 02110  
(617) 345-6057

Date: \_\_\_\_\_

10/15/02



1646

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/872,347
Filing Date	June 1, 2001
First Named Inventor	Benowitz, L.I.
Group Art Unit	1646
Examiner Name	L.I. Ruixiang
Attorney Docket Number	701039-052161

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Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):  
Form PTO-1449; References BA through BE and CA through CI; Certificate of Mailing; Return Receipt Postcard.

### Remarks

The Commissioner is authorized to charge fee deficiencies to the NIXON PEABODY LLP deposit account 50-0850.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David S. Resnick (Reg.No. 34,235) NIXON PEABODY LLP, 101 Federal Street, Boston, MA 02110
Signature	
Date	10/15/02

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Melissa Kruggel
Signature	

Date	10/15/02
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.